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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

1. Matter being protested:

Application 95-17227, George Dulebohn, Jaqui Dulebohn, 5535 S Cottontail Ct., Coeur d'Alene, ID 83814.

Use: Ground Water, .15 CFS total diversion.

2. Name of protestant: Kootenai Environmental Alliance

Kootenai Environmental Alliance (KEA) is a 501© (3) non-profit organization whose mission is to "conserve, protect and restore the environment, with particular emphasis on the Idaho Panhandle and the Coeur d'Alene Basin." KEA's members live, work and recreate in North Idaho and eastern Washington, including recreating on Coeur d'Alene Lake and the Spokane River. KEA's members are, and would be adversely affected by water allocation and management decisions that diminish, over-allocate, or otherwise harm ground and surface water sources.

3. Protestant's Representative: Adrienne Cronebaugh, Executive Director

4. Mailing Address: PO Box 1598, Coeur d'Alene, ID 83816

5. Telephone No. 208.667.9093 **Email Address:** kea@kealliance.org

6. Basis of Protest

Kootenai Environmental Alliance protests Application for Permit No. 95-17227 filed by George and Jaqui Dulebohn, which seeks a total diversion of 0.15cfs from groundwater for irrigation, stockwater for 6 stock and domestic use for 1 home on 3 acres. This protest is based on the criteria set forth in Sec. 42-203A, Idaho Code, and groundwater statutes specified below.

The application, if approved, could allow approximately 96,000 gallons per day to be withdrawn from the groundwater. This is an excessive amount, especially in an area that already experiences water scarcity which leaves homeowners struggling with community well issues.

The proposed application is wasteful and not in compliance with state of Idaho water laws at Idaho Code Title 42-201(2), 42-237a, 42-1730, and 42-3601. These laws concern the conservation of the waters of the State of Idaho. The application is also required to be in compliance with all pertinent regulations cited in Idaho Administrative Code Water Appropriation Rules, IDAPA 37 (Title 3, Chapter).

The applicant has not promulgated a water conservation plan to limit consumption to a reasonable level, thus it is contrary to the conservation of water resources in Idaho, in contravention of IC §42-203A (5) (f).

Idaho Code 42-1805(2) and (3) encourage conservation of our water resource.

The cumulative impacts of the proposed withdrawal, combined with other pending applications and existing water rights, could lead to interference with other wells, springs, surface water and a variety of other potential ills, in violation of the public interest.

7. **Resolution Sought:** For the foregoing reasons, KEA requests that a protest hearing be scheduled and/or that the Dulebohn's Application for Permit No 95-17227 be greatly reduced.

I hereby, acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of the proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 19th day of November, 2016

Kootenai Environmental Alliance

Protestant

Adrienne Cronk
Protestant's Representative

CC: George & Jaqui Dulebohn 5535 S Cottontail Ct., Coeur d'Alene, ID 83814